C08-1001 JCC JPD

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AT SEATTLE CLERK U.S. DISTRICT COURT WESTERN DISTRICT OF WASHINGTON BY DEPUTY

WASHINGTON STATE DEPARTMENT OF CORRECTIONS

	D.O.C#987686
	CASE#04-1-12049-3 King co.
DEPARTMENT OF CORRECTIONS OLYMPIC CORRECTIONS CENTER DEFENDANT,	MOTION FOR VIOLATIONS OF THE 14TH AMENDMENT HOUSE BILL 6157 PILOT PROGRAM
VS.	W.A.C 137- PETITION FOR WRIT OF MANDAMUS ACTIONS
JOEL LAVEL ROBINSON, PLAINTIFF, IMATE,	AGAINST STATE OFFICERS DEPARTMENT OF D.O.C

TO: MR. ELDOR VAIL, OF THE DEPARTMENT OF CORRECTIONS
7345 LINDERSON WAS S.W. M.S 41101 TUMWATER, WA. 98501

FIRST ISSUE:

DOSE THE HOUSE BILL "6157" VIOLATE THE UNITED STATE CONSTITUTION OF THE 14TH AMENDMENT?

SECOND ISSUE:

IS IT RIGHT FOR STAFF/CONSLOR AT OLYMPIC CORRECTIONS CENTER TO REFUSE TO HELP A INMATE TO BE RELEASED ON HIS E.R.D?

ARGUMENT

IN TRYING TO HELP ALL INMATES IN NEED THE STATE HAS INTRODUCED THROWS HOUSE BILL "6157" A PROGRAM IN WHICH D.O.C MUST HELP ALL INMATES WHO IS OF HIGH RISK, High NEEDS OR AN INDIVIDUAL WITH OUT A VIABLE RELEASE PLAN. SEE HOUSE BILL "6157" (4). UNDER THIS PROGRAM A OFFENDER MUST MEET THE FOLLOWING.

(1) MUST BE AN ACTIVE OFFENDER OF WASHINGTON STATE DEPARTMENT OF CORRECTIONS (D.O.C.) AND HAVE A TERM OF COMMUNITY SUPERVISION WITH AT LEAST 12 MONTHS OF SUPERVISION REMAINING ON ANY SINGLE CAUSE OR COMBINATION OF CAUSES.

(2) MUST CURRENTLY BE INCARCERATED IN A D.O.C PRISON OR WORK RELEASE FACILITY, COUNTY JAIL, WESTERN STATE HOSPITAL (WSH) OR EASTERN STATE HOSPITALS (E.S.H) OR HAVE BEEN RELEASED WITHIN THE 15 DAYS FROM A COUNTY JAIL/PRISON FOR SERVING HIS/HER INITIAL JAIL/PRISON SENTENCE ORDERED BY THE COURT.

(3). MUST HAVE HIS FIRST FELONY CONVICTION IN THE STATE OF WASHINGTON IN A PILOT PROJECT COUNTY AND MUST RELEASE TO PILOT PROJECT IN COUNTY OF ORIGIN.

(4). MUST BE A D.O.C OFFENDER WHO IS HIGH RISK, HIGH NEEDS OR AN INDIVIDUAL WITH OUT A VIABLE RELEASE PLAN.

(5) MUST BE WILLING TO PARTICIPATATE IN ALL RECOMMENDED PROGRAMS AFFILIATED WITH THE HOUSING PROGRAM AND SIGN THE PARTICIPANT AGREEMENT AND RELEASE OF INFORMATION DOCUMENTS.

(6). MUST NOT HAVE ANY SERIOUS INFRACTIONS OR LIKE BEHAVIOR IN COUNTY / W.S.H / E.S.H WITH IN THE LAST 90 DAYS.

(7). MUST BE ELIGIBLE FOR RELEASE BETWEEN 1-1-08 AND 7-1-09

(8) MUST NOT HAVE ANY ACTIVE FELONY WARRANTS OR DETAINERS

(9) MUST NOT BE A FROM OUT OF STATE (F.O.S) OFFENDER IN WASHINGTON UNDER INTERSTATE COMPACT WITH NO ACTIVE WASHINGTON STATE COMMUNITY SUPERVISION OF AT LEST 12 MONTHS.

(10) MUST NOT BE A D.O.C OFFENDER BEING RELEASED FROM CUSTODY AFTER SERVING VIOLATION SANCTION CONFINEMENT UNLESS THE OFFENDER WAS 1) ALREADY AN ACTIVE PARTICIPANT IN THE HOUSING PROGRAM AT THE TIME OF THE VIOLATION, AND 2) IS ACCEPTED BACK IN TO HOUSING OR SERVICES, OR 3) HAS BEEN PLACED ON A WAITING LIST FOR RE-ENTRY INTO THE PROGRAM.

ARGUMENT

INMATE JOEL LAVEL ROBINSON ARGU'S THAT HOUSE BILL "6157" VIOLATES THE UNITED STATES CONSTITUTION'S 14TH AMENDMENT IN (TWO) PARTS, 1). THE LAW IT SELF IS UNCONSTITUTIONAL TO REQUIRE ANY INMATE TO HAVE A PRE-APPROVED RELEASE ADDRESS BASED ON THE FACTS THAT ALL INMATES MAY NOT HAVE A VIABLE RELEASE PLAN.

2). IT IS VERY WONDERFUL FOR HOUSE BILL "6157" HAS A PART IN THE BILL CALLED THE HOUSING PILOT PROGRAM IN WHICH D.O.C PROVIDES THOUSE OFFENDERS WITH OUT A VIABLE RELEASE PLAN HELP FOR ONE YEAR.

MR. ROBINSON IS A PART OF OFFENDERS WITH OUT A VIABLE RELEASE PLAN, HE DID SING THE PAPER WORK FOR THE HOUSING PILOT PROGRAM BACK IN MAY 16TH OF 2008, BUT WAS TOLE BY CONSLOR MS. OLSON, AT OLYMPIC CORRECTIONS CENTER THAT THERE MAY NOT BE ANY FINANCING TO HELP HIM WITH HIS RELEASE, THE PLAINIFF WAS INFORMED BY CONSLOR MS. OLSON JUNE 19TH, 2008.

WITH MR. ROBINSON'S 10 DAY RELEASE, HIS E.R.D DATE IS AUG 15TH, 2008, IF MR. ROBINSON IS FORSTED TO REMAIN IN PRISON PASS AUG. 15TH 2008, THIS IS A VIOLATION OF HIS CONSTITUTIONAL RIGHTS UNDER THE 14TH AMENDMENT SEE: UNITED STATES SUPREM COURT RULING IN, ANDERSON VS. ROMERO, 72 F.3d 518 (7TH CIR. 1995) WHICH STATES, EQUAL PROTECTION CLAUSE FORBIBS A STATE D.O.C TO TREAT ANY ONE GROUP OF OFFENDERS DIFFERENT FROM OTHERS.

THE FACT THAT MR. ROBINSON IS A OFFENDER WITH OUT A VIABLE RELEASE PLAN D.O.C MUST HELP HIM WITH A PLAN BEFOR HIS RELEASE DATE UNDER HOUSE BILL "6157" IN NOT DOING SO THIS WOULD VIOLATE HIS 14TH AMENDMENT.

CONCLUSION

IN THE FURTHEANCE OF JUSTICE INMATE/PLAINIFF, JOEL LAVEL ROBINSON D.O.C #987686 PRAYS TO "MR. ELDOR VAIL" OF THE DEPARTMENT OF CORRECTIONS AND TO THE UNITED STATES FEDERAL COURT OF SEATTLE WA. THROW PETITION FOR WRIT OF MANDAMUS UNDER U.S.C 2241. TO ALLOW MR. ROBINSON TO BE RELEASED ON HIS E.R.D DATE OF 08-15-08 VIA 10 DAY EARLY REALEASE.

RESPECTFULLY SUBMITTED THIS DATE JUNE 23rd OF 2008

x [signature]

JOEL LAVEL ROBINSON
#987686
OLYMPIC CORR. CENTER
11235 HOH MAIN LINE
FORKS WA. 9833-9492

A COPY OF THIS PETITION HAS BE MAIL TO ALL PARTYS.

JOEL LAVEL ROBINSON #987686
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